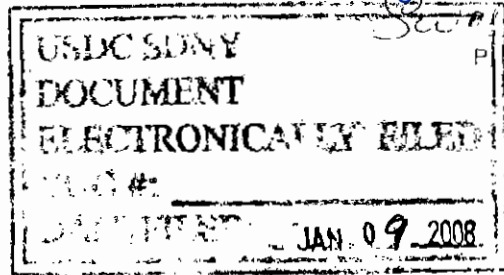


JAN-23-2008 21:49



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
ESTATE OF ALEXANDER R. PIPER, III; and
MARTHA PIPER, Individually,

07-CV-9548 (LTS)

Plaintiffs,

- against -

STIPULATION AND ORDER

METROPOLITAN INSURANCE AND ANNUITY
COMPANY; and METROPOLITAN LIFE,

Defendants.
-----X

IT IS HEREBY STIPULATED AND AGREED by and between the parties hereto, by
and through their respective attorneys, that:

1. The proper name of Defendant herein is Metropolitan Tower Life Insurance
Company and that the caption of the case shall be amended as follows:

-----X
ESTATE OF ALEXANDER R. PIPER, III; and
MARTHA PIPER, Individually,

07-CV-9548 (LTS)

Plaintiffs,

- against -

METROPOLITAN TOWER LIFE INSURANCE
COMPANY,

Defendant.
-----X

2. That the basis for this amendment is that (a) subsequent to the issuance of the
Policy at issue, Metropolitan Tower Life Insurance Company ("MTLIC") has assumed the
liabilities, legal rights and obligations of Metropolitan Insurance and Annuity Company
("MIAC") under Policy No. 876 115 025, the policy which underlies the issues in this case; and

JAN-23-2008 21:49

P.03

(b) the second originally named defendant was incorrectly identified as there exists no legal entity, "Metropolitan Life." Plaintiff reserves the right to name additional parties should discovery warrant such additions.

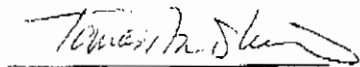
3. That MTLIC is a Delaware Corporation with its principal place of business in New York.

4. That Defendant's time to move or otherwise respond to the Complaint in this action is extended up to, and including, January 18, 2008;

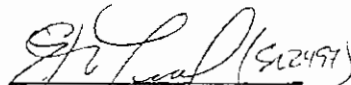
5. That Defendant acknowledges proper service of the Complaint herein; and

6. That facsimile and/or electronic signatures hereon will be deemed as good and as binding as originals.

Dated: New York, NY
January 3, 2008

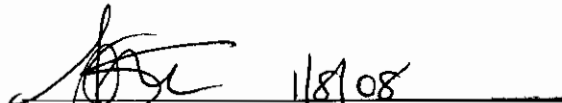


Alvin Pasternak, Esq.
Tomasita Sherer, of Counsel
Attorneys for Defendant
Metropolitan Life Insurance Company
27-01 Queens Plaza North
Long Island City, NY 11101
(212) 578-3102 (Tel)



Neal Brickman, Esq.
Ethan Leonard, Esq.
Law Offices of Neal Brickman, P.C.
Attorneys for Plaintiffs
317 Madison Avenue, 21st Floor
New York, NY 10017
(212) 986-6840 (Tel)

SO ORDERED.


1/8/08
LAURA TAYLOR SWAIN
UNITED STATES DISTRICT JUDGE